

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE TETHER AND BITFINEX CRYPTO
ASSET LITIGATION

Index No. 1:19-cv-09236-KPF

**DEFENDANT POLONIEX, LLC'S ANSWER TO PLAINTIFFS'
AMENDED CONSOLIDATED CLASS ACTION COMPLAINT**

Matthew G. Lindenbaum
NELSON MULLINS RILEY &
SCARBOROUGH LLP
One Financial Center, Suite 3500
Boston, Massachusetts 02111
Telephone: (617) 217-4700
matthew.lindenbaum@nelsonmullins.com

Robert L. Lindholm
NELSON MULLINS RILEY &
SCARBOROUGH LLP
280 Park Avenue
15th Floor, West
New York, New York 10017
Telephone: (646) 428-2600
robert.lindholm@nelsonmullins.com

Attorneys for Poloniex, LLC

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Defendant Poloniex LLC (“Poloniex”) submits its Answer and Affirmative Defenses to Plaintiff’s Amended Consolidated Class Action Complaint (the “Amended Complaint”). To the extent not specifically admitted below, Poloniex (i) denies the allegations in the Amended Complaint; (ii) denies any liability to Plaintiffs; and (iii) denies that Plaintiffs are entitled to any relief against Poloniex.

In addition, the Amended Complaint contains unnumbered headings and subheadings. Poloniex does not admit that the Amended Complaint’s headings or subheadings are accurate or appropriate for any purposes in this matter and, to the extent that any heading can be read to contain factual allegations, Poloniex denies each and every one of them. The Amended Complaint also contains footnotes. Poloniex treats footnotes as being contained in the numbered paragraph in which they appear, and Poloniex’s answer to a numbered paragraph in the Amended Complaint includes, to the extent necessary, its answer to any footnotes that appear in the numbered paragraph.

Poloniex responds to the specifically numbered factual allegations of the Complaint as follows:

1. Poloniex denies the allegations contained in Paragraph 1.
2. Poloniex denies the allegations contained in Paragraph 2.
3. Poloniex denies the allegations contained in Paragraph 3.
4. Poloniex denies the allegations contained in Paragraph 4.
5. Poloniex is without sufficient knowledge or information to form a belief as to the allegations contained in Paragraph 5, and therefore denies them.
6. Poloniex is without sufficient knowledge or information to form a belief as to the allegations contained in Paragraph 6, and therefore denies them.

7. Poloniex is without sufficient knowledge or information to form a belief as to the allegations contained in Paragraph 7, and therefore denies them.

8. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 8, and therefore denies them.

9. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 9, and therefore denies them.

10. Poloniex denies the allegations contained in Paragraph 10.

11. Poloniex denies the allegations contained in Paragraph 11.

12. Poloniex denies the allegations contained in Paragraph 12.

13. Poloniex denies the allegations contained in Paragraph 13.

14. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 14, and therefore denies them.

15. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 15, and therefore denies them.

16. Poloniex denies the allegations contained in Paragraph 16.

17. Poloniex acknowledges that plaintiffs have brought the claims they identify in Paragraph 17. To the extent a response is required, Poloniex denies the allegations set forth in Paragraph 17.

18. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 18(a)-(g) regarding this plaintiff and his purchases. Poloniex denies the remaining allegations contained in Paragraph 18.

19. Poloniex is without sufficient knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 19(a)-(h) regarding this plaintiff and his purchases. Poloniex denies the remaining allegations contained in Paragraph 19.

20. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 20(a)-(e), regarding this plaintiff and his purchases. Poloniex denies the remaining allegations contained in Paragraph 20.

21. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 21 regarding this plaintiff and his purchases. Poloniex denies the remaining allegations contained in Paragraph 21.

22. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 22 regarding this plaintiff and his purchases. Poloniex denies the remaining allegations contained in Paragraph 22.

23. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 23, and therefore denies them.

24. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 24, and therefore denies them.

25. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 25, and therefore denies them.

26. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 26, and therefore denies them.

27. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 27, and therefore denies them.

28. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 28, and therefore denies them.

29. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations in Paragraph 29, and therefore denies them.

30. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 30, and therefore denies them.

31. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 31, and therefore denies them.

32. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 32, and therefore denies them.

33. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 33, and therefore denies them.

34. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 34, and therefore denies them.

35. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 35, and therefore denies them.

36. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 36, and therefore denies them.

37. Poloniex admits only that it previously operated an online platform for trading crypto-assets. Poloniex denies that it currently operates an online platform for trading crypto-assets. Poloniex is without sufficient knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in Paragraph 37, and therefore denies them.

38. Poloniex is without sufficient knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 38, and therefore denies them.

39. Poloniex admits the allegations contained in Paragraph 39.

40. Poloniex is without sufficient knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 40, and therefore denies them.

41. Poloniex is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 41, and therefore denies them.

42. Paragraph 42 sets forth a legal conclusion, to which no response is required. To the extent a response is required, Poloniex admits that Plaintiffs purport to assert that this Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1337 and 18 U.S.C. § 1964(c).

43. Paragraph 43 sets forth a legal conclusion, to which no response is required. To the extent a response is required, Poloniex admits that Plaintiffs purport to assert that this Court has supplemental subject matter jurisdiction over Plaintiffs' state law claims pursuant to 28 U.S.C. § 1376(a).

44. Paragraph 44 sets forth a legal conclusion, to which no response is required. To the extent a response is required, Poloniex admits that Plaintiffs purport to assert that venue is proper under 15 U.S.C. § 22, 7 U.S.C. § 25(c), 18 U.S.C. § 1965, and 28 U.S.C. § 1391.

45. Paragraph 45 sets forth a legal conclusion, to which no response is required. To the extent a response is required, Poloniex admits that Plaintiffs purport to assert that this Court has personal jurisdiction over each defendant pursuant to N.Y. C.P.L.R. 301 and 302(a)(1)-(3), 18 U.S.C. § 1965(a)-(b), and Federal Rule of Civil Procedure 4(k).

46. Paragraph 46 sets forth a legal conclusion, to which no response is required. To the extent a response is required, Poloniex admits that Plaintiffs purport to assert that this Court has quasi in-rem jurisdiction over the Defendants.

47. Poloniex admits that the case concerns crypto-assets and that crypto-assets are digital assets that use a variety of cryptographic principles to secure transactions, control the creation of additional units, and verify their transfer. Poloniex also admits that “cryptocurrencies” is a commonly used term that describes the many different types of digital assets and digital tokens in circulation. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 47, and therefore denies them.

48. Poloniex admits only that Bitcoin was the world’s first major crypto-asset. the allegations contained in Paragraph 48. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 48, and therefore denies them.

49. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 49, and therefore denies them.

50. Poloniex admits that Bitcoin operates on a digital ledger system known as a “blockchain” that tracks the ownership and transfer of all existing Bitcoin. Poloniex also admits that each Bitcoin user has a digital address used to receive bitcoin and that the blockchain lists publicly every address and the number of bitcoin associated with that address. Poloniex further admits that by looking at the blockchain, one can see the bitcoin transactions in which a particular address has engaged.

51. Poloniex admits that the blockchain tracks the ownership and transfer of digital assets. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 51, and therefore denies them.

52. Poloniex admits the allegations contained in Paragraph 52.

53. Poloniex is without sufficient knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in Paragraph 53, and therefore denies them.

54. Poloniex is without sufficient knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 54, and therefore denies them,

55. Poloniex admits the allegations contained in Paragraph 55.

56. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 56, and therefore denies them.

57. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 57, and therefore denies them.

58. Poloniex admits only that the number and types of crypto-assets has expanded since 2013. Poloniex is without sufficient knowledge or information to form a belief as to truth of the remaining allegations contained in Paragraph 58, and therefore denies them.

59. Poloniex is without sufficient knowledge or information to form a belief as to truth of the allegations contained in Paragraph 59, and therefore denies them.

60. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 60, and therefore denies them.

61. Poloniex admits that some crypto-assets are distributed through initial coin offerings. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 61, and therefore denies them.

62. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 62, and therefore denies them.

63. Poloniex admits the allegations contained in Paragraph 63.

64. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 64, and therefore denies them.

65. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 65, and therefore denies them.

66. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 66, and therefore denies them.

67. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 67, and therefore denies them.

68. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 68, and therefore denies them.

69. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 69, and therefore denies them.

70. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 70, and therefore denies them.

71. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 71, and therefore denies them.

72. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 72, and therefore denies them.

73. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 73, and therefore denies them.

74. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 74, and therefore denies them.

75. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 75, and therefore denies them.

76. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 76, and therefore denies them.

77. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 77, and therefore denies them.

78. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 78, and therefore denies them.

79. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 79, and therefore denies them.

80. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 80, and therefore denies them.

81. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 81, and therefore denies them.

82. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 82, and therefore denies them.

83. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 83, and therefore denies them.

84. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 84, and therefore denies them.

85. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 85, and therefore denies them.

86. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 86, and therefore denies them.

87. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 87, and therefore denies them.

88. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 88, and therefore denies them.

89. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 89, and therefore denies them.

90. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 90, and therefore denies them.

91. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 91, and therefore denies them.

92. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 92, and therefore denies them.

93. Poloniex admits that according to coinmarketcap.com, on certain days in March 2017 the price of bitcoin was at or above \$1,200.00 and that on certain days in July 2017 the price of bitcoin was above \$2,000.00. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 93, and therefore denies them.

94. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 94, and therefore denies them.

95. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 95, and therefore denies them.

96. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 96, and therefore denies them.

97. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 97, and therefore denies them.

98. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 98, and therefore denies them.

99. Poloniex admits only that cryptographic keys have a public key and private key. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 99, and therefore denies them.

100. Poloniex admits the allegations contained in Paragraph 100.

101. Poloniex admits only that a private key allows the owner of a crypto-asset to access the address. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 101, and therefore denies them.

102. Poloniex admits only that a recipient's Bitcoin address is needed to make a transfer of Bitcoin. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 102, and therefore denies them.

103. Poloniex admits only that the transfer of bitcoin publicly shows on the blockchain the address of the transferor and recipient, as well as the number of assets transferred, but that names of individuals and entities are not included. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 103 and therefore denies them.

104. Poloniex admits only that the blockchain can be downloaded and analyzed. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 104, and therefore denies them.

105. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 105, and therefore denies them.

106. Poloniex admits that, when its Exchange was formerly in operation, users needed an account in order to trade crypto-assets, the Exchange provided customers with a deposit address that the Exchange controlled, and when the customer deposited crypto-assets into that deposit address the Exchange credited the customer's trading accounts with the corresponding crypto-asset. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 106, and therefore denies them.

107. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 107, and therefore denies them. Further answering, the website referenced in Paragraph 107, which is not operated by Poloniex, LLC, speaks for itself.

108. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 108, and therefore denies them.

109. Poloniex admits only that, when its Exchange was formerly in operation, a destination address was required in order to transfer a crypto-asset. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 109, and therefore denies them.

110. Poloniex admits the allegations contained in Paragraph 110.

111. Poloniex denies the allegations contained in Paragraph 111.

112. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 112, and therefore denies them.

113. Poloniex admits that stablecoins are a type of cryptocurrency that tackles price fluctuations by tying the value of cryptocurrencies to other more stable assets like gold or fiat currency. Poloniex denies the remaining allegations contained in Paragraph 113.

114. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 114, and therefore denies them.

115. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 115, and therefore denies them.

116. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 116, and therefore denies them.

117. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 117, and therefore denies them.

118. Poloniex admits that USDT transactions are visible on the blockchain. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 118, and therefore denies them.

119. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 119, and therefore denies them.

120. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 120, and therefore denies them.

121. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 121, and therefore denies them.

122. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 122, and therefore denies them.

123. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 123, and therefore denies them.

124. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 124, and therefore denies them.

125. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 125, and therefore denies them. Further answering, the Tether website speaks for itself.

126. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 126, and therefore denies them. Further answering, the Tether website speaks for itself.

127. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 127, and therefore denies them. Further answering, the Tether white paper referenced in Paragraph 127 speaks for itself.

128. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 128, and therefore denies them. Further answering, the Tether white paper referenced in Paragraph 128 speaks for itself.

129. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 129, and therefore denies them. Further answering, the Tether white paper referenced in Paragraph 129 speaks for itself.

130. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 130, and therefore denies them. Further answering, the declaration referenced in Paragraph 130 speaks for itself.

131. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 131, and therefore denies them. Further answering, the Tether website referenced in Paragraph 131 speaks for itself.

132. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 132, and therefore denies them. Further answering, the Tether website referenced in Paragraph 132 speaks for itself.

133. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 133, and therefore denies them. Further answering, the declaration referenced in Paragraph 133 speaks for itself.

134. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 134, and therefore denies them. Further answering, the Tether website referenced in Paragraph 134 speaks for itself.

135. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 135, and therefore denies them. Further answering, the Bloomberg Articles referenced in Paragraph 135 speak for themselves.

136. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 136, and therefore denies them.

137. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 137, and therefore denies them. Further answering, the information on the website coinmarketcap.com referenced in Paragraph 137 speaks for itself.

138. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 138, and therefore denies them.

139. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 139, and therefore denies them.

140. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 140, and therefore denies them.

141. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 141, and therefore denies them. Further answering, the decision referenced in Paragraph 141 speaks for itself.

142. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 142, and therefore denies them.

143. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 143, and therefore denies them.

144. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 144, and therefore denies them. Further answering, the statements in the YouTube video and Virtual Markets Integrity Initiative Report referenced in Paragraph 144 speak for themselves.

145. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 145, and therefore denies them. Further answering, the statements in the Virtual Markets Integrity Initiative Report referenced in Paragraph 145 speaks for itself.

146. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 146, and therefore denies them. Further answering, the article referenced in Paragraph 146 speaks for itself.

147. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 147, and therefore denies them. Further answering, the statements on the Bitfinex website referenced in Paragraph 147 speak for themselves.

148. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 148, and therefore denies them. Further answering, the statements on the Bitfinex website referenced in Paragraph 148 speak for themselves.

149. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 149, and therefore denies them. Further answering, the statements on the Bitfinex website referenced in Paragraph 149 speak for themselves.

150. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 150, and therefore denies them. Further answering, the statements on the Bitfinex website referenced in Paragraph 150 speak for themselves.

151. Poloniex denies the allegations contained in the first sentence of Paragraph 151. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 151, and therefore denies them. Further answering, the statement in the quarterly investor update referenced in Paragraph 151 speaks for itself.

152. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 152, and therefore denies them. Further answering, the statement in the Coindesk article referenced in Paragraph 152 speaks for itself.

153. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 153, and therefore denies them.

154. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 154, and therefore denies them.

155. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 155, and therefore denies them. Further answering, the statements on the Tether website referenced in Paragraph 155 speak for themselves.

156. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 156, and therefore denies them.

157. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 157, and therefore denies them.

158. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 158, and therefore denies them.

159. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 159, and therefore denies them.

160. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 160, and therefore denies them.

161. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 161, and therefore denies them.

162. Poloniex admits only that it previously operated as a crypto-exchange, that it was founded in 2014, and that Tristan D'Agosta was one of Poloniex's founders. Poloniex denies the remaining allegations contained in Paragraph 162.

163. Poloniex's former Fee Schedule speaks for itself. Poloniex denies any characterizations of its former Fee Schedule inconsistent with its plain text. Poloniex denies that it charged customers a transaction fee for every withdrawal. Further answer, Poloniex states that it no longer operates a crypto-exchange. Poloniex denies the remaining allegations contained in Paragraph 163.

164. Poloniex admits that prior to July 2019, it did not accept fiat-based deposits or offer fiat-based exchanges. Poloniex further admits that prior to July 2019, Poloniex was a crypto-to-crypto-exchange because it allowed its customers to trade only different crypto-assets for each other. Poloniex also admits that in July 2019 it offered users for the first time the ability to deposit fiat into Poloniex and Poloniex would have it automatically tokenized into USD Coin (USDC) for trading, subject to deposit and withdrawal limits. Poloniex denies the remaining allegations contained in Paragraph 164.

165. Poloniex admits only that until July 2019, transactions on the Poloniex exchange involved trades of one crypto-asset for another, because Poloniex was a crypto-to-crypto exchange. Poloniex further admits that an example of a trading pair was USDT/bitcoin, where one buys USDT with bitcoin or sells USDT for bitcoin. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 165, and therefore denies them.

166. Poloniex admits that it issued a joint press release with Tether and states that the press release speaks for itself. Poloniex denies the remaining allegations contained in Paragraph 166.

167. Poloniex admits its former CEO Tristan D'Agosta, who is no longer affiliated with Poloniex, is identified on Tether's website at a certain point in time as a "Featured Partner" and

that the Tether website purports to quote D’Agosta as stating “Tether’s growing adoption and careful attention to legal compliance have made it the leader in solutions for fiat on the blockchain.” Poloniex denies the remaining allegations contained in Paragraph 167.

168. Poloniex denies the allegations contained in Paragraph 168.

169. Poloniex admits that the Department of the Treasury’s Financial Crime Enforcement Network’s website indicates that it is registered as a money services business with the Department of the Treasury’s Financial Crime Enforcement Network. Poloniex further admits that at one point in time its website stated that it was “committed to compliance with all applicable law requiring identification and verification of its customers.”

170. Poloniex denies the allegation that it is “secretive” regarding its operations. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 170, and therefore denies them.

171. Poloniex admits only that, when formerly in operation, Poloniex charged a trading fee under certain circumstances. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations in Paragraph 171, and therefore denies them.

172. Poloniex admits only that, when formerly in operation, it did not accept U.S. dollar deposits from Poloniex users during much of the Exchange’s operation. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 172, and therefore denies them.

173. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 173, and therefore denies them.

174. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 174, and therefore denies them. Further answering, the statements on the Bittrex website referenced in Paragraph 174 speak for themselves.

175. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 175, and therefore denies them.

176. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 176, and therefore denies them.

177. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 177, and therefore denies them. Further answering, the statements in the Letter to Bill Shihara referenced in Paragraph 177 speak for themselves.

178. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 178, and therefore denies them. Further answering, the statements in the letter to Bill Shihara referenced in Paragraph 178 speak for themselves.

179. Poloniex admits that the Department of the Treasury's Financial Crime Enforcement Network's website indicates that it is registered as a money services business with the Department of the Treasury's Financial Crime Enforcement Network. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 179, and therefore denies them.

180. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 180, and therefore denies them.

181. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 181, and therefore denies them.

182. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 182, and therefore denies them.

183. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 183, and therefore denies them.

184. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 184, and therefore denies them.

185. Poloniex admits only that it previously operated a crypto-exchange. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 185 and therefore denies them.

186. Poloniex denies the allegations contained in Paragraph 186.

187. Poloniex denies the allegations contained in Paragraph 187.

188. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 188, and therefore denies them.

189. Poloniex denies the allegations contained in Paragraph 189.

190. Poloniex denies the allegations contained in Paragraph 190.

191. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 191, and therefore denies them.

192. Poloniex denies the allegations contained in Paragraph 192.

193. Poloniex denies the allegations contained in Paragraph 193.

194. Poloniex denies the allegations contained in Paragraph 194.

195. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 195, and therefore denies them.

196. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 196, and therefore denies them.

197. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 197, and therefore denies them.

198. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 198, and therefore denies them.

199. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 199, and therefore denies them.

200. Poloniex admits only that, at a certain point in time, users could trade USDT on the Poloniex Exchange. Poloniex denies the remaining allegations contained in Paragraph 200.

201. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 201, and therefore denies them.

202. Poloniex denies the allegations contained in Paragraph 202.

203. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 203, and therefore denies them.

204. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 204 and therefore denies them. Further answering, the website referenced in Paragraph 204 speaks for itself.

205. Poloniex denies the allegations contained in Paragraph 205 that the USDT deposits into the 1J1d account were credited to an account controlled by Bitfinex. Further answering, the account referenced in Paragraph 205 was owned by a third-party individual, and not by Bitfinex. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 205, and therefore denies them.

206. Poloniex denies the allegations contained in Paragraph 206 that the USDT deposits into the 1AA6 account were credited to an account controlled by Bitfinex. Further answering, the account referenced in Paragraph 206 was owned by a third-party individual, and not by Bitfinex. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 206, and therefore denies them.

207. Poloniex denies the allegations contained in Paragraph 207. Further answering, the two addresses referenced in Paragraph 207 were owned by a third-party individual, not Bitfinex.

208. Poloniex denies the allegations contained in the first sentence of Paragraph 208. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 208, and therefore denies them.

209. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 209, and therefore denies them.

210. Poloniex denies the allegations contained in Paragraph 210. Further answering, the volume of USDT flowing into these two addresses was due to the third-party individual referenced in Paragraph 210, executing an arbitrage trading strategy across multiple exchanges.

211. Poloniex denies the allegations contained in Paragraph 211.

212. Poloniex denies the allegations contained in Paragraph 212.

213. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 213, and therefore denies them.

214. Poloniex denies the allegations contained in Paragraph 214.

215. Poloniex denies the allegations contained in Paragraph 215.

216. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 216, and therefore denies them.

217. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 217, and therefore denies them.

218. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 218, and therefore denies them.

219. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 219 and therefore denies them.

220. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 220 and therefore denies them.

221. Poloniex denies the allegation contained in Paragraph 221 that the 1J1d address belongs to Bitfinex. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 221, and therefore denies them.

222. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 222, and therefore denies them.

223. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 223, and therefore denies them.

224. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 224, and therefore denies them.

225. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 225, and therefore denies them. Further answering, the statement in the First Department decision referenced in Paragraph 225 speaks for itself.

226. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 226 and therefore denies them.

227. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 227, and therefore denies them.

228. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 228, and therefore denies them.

229. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 229, and therefore denies them. Further answering, the statement from the FBI referenced in Paragraph 229 speaks for itself.

230. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 230, and therefore denies them.

231. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 231, and therefore denies them. Further answering, the complaint referenced in Paragraph 231 speaks for itself.

232. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 232, and therefore denies them. Further answering, the declaration referenced in Paragraph 232 speaks for itself.

233. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 233, and therefore denies them.

234. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 234, and therefore denies them. Further answering, the complaint referenced in Paragraph 234 speaks for itself.

235. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 235, and therefore denies them. Further answering, the statement on the Tether website referenced in Paragraph 235 speaks for itself.

236. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 236, and therefore denies them.

237. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 237, and therefore denies them.

238. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 238, and therefore denies them.

239. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 239, and therefore denies them.

240. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 240, and therefore denies them.

241. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 241, and therefore denies them.

242. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 242, and therefore denies them.

243. Poloniex denies the allegations contained in Paragraph 243.

244. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 244, and therefore denies them.

245. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 245, and therefore denies them.

246. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 246, and therefore denies them.

247. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 247, and therefore denies them.

248. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 248, and therefore denies them. Further answering, the statements in the declaration referenced in Paragraph 248 speak for themselves.

249. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 249, and therefore denies them.

250. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 250, and therefore denies them. Further answering, the statements in the declaration referenced in Paragraph 250 speak for themselves.

251. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 251, and therefore denies them.

252. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 252, and therefore denies them.

253. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 253, and therefore denies them.

254. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 254, and therefore denies them.

255. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 255, and therefore denies them.

256. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 256, and therefore denies them.

257. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 257, and therefore denies them.

258. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 258, and therefore denies them.

259. Poloniex denies the allegations contained in Paragraph 259.

260. Poloniex denies the allegations contained in Paragraph 260. Further answering, the 1J1d and 1AA6 addresses were owned by a third-party individual, not Bitfinex.

261. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 261, and therefore denies them.

262. Poloniex admits that USDT was deposited in the 1J1d deposit address at Poloniex. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 262, and therefore denies them.

263. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 263, and therefore denies them.

264. Poloniex denies the allegations contained in Paragraph 264.

265. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 265, and therefore denies them.

266. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 266, and therefore denies them.

267. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 267, and therefore denies them.

268. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 268, and therefore denies them.

269. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 269, and therefore denies them.

270. Poloniex denies the allegations contained in Paragraph 270.

271. Poloniex denies the allegations contained in Paragraph 271.

272. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 272, and therefore denies them.

273. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 273, and therefore denies them..

274. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 274, and therefore denies them.

275. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 275, and therefore denies them.

276. Poloniex denies the allegations contained in Paragraph 276. Further answering, the “strategic” purchases of bitcoin that plaintiffs describe in Paragraph 276 were, in fact, the purchases of an individual third-party trader—and not Bitfinex—who was executing on an arbitrage strategy. Despite being aware that this trader executed these trades, and not Bitfinex, Plaintiffs have neither amended their previously-amended complaint, nor dismissed Poloniex and Bittrex from this action.

277. Poloniex denies the allegations contained in Paragraph 277.

278. Poloniex denies the allegations contained in Paragraph 278.

279. Poloniex denies the allegations contained in Paragraph 279.

280. Poloniex denies the allegations contained in Paragraph 280.

281. Poloniex admits the allegations contained in Paragraph 281.

282. Poloniex denies the allegations contained in Paragraph 282. Further answering, the article identified in Paragraph 282 concluded that the large USDT transfers to the accounts were

“consistent *either* with one large player purchasing Tether with cash at Bitfinex and then exchanging it for Bitcoin, *or* Tether being printed without cash backup and pushed out through Bitfinex in exchange.” Professor Griffin could not rule out that the transfers in question were attributed to “one large player purchasing Tether with cash at Bitfinex and then exchanging it for Bitcoin.” Plaintiffs selectively omitted this portion of Professor Griffin’s analysis from their Amended Complaint.

283. The article referenced in Paragraph 283 speaks for itself. To the extent a response is required, Poloniex denies the allegations contained in Paragraph 283.

284. The article referenced in Paragraph 284 speaks for itself. To the extent a response is required, Poloniex denies the allegations contained in Paragraph 284.

285. The article referenced in Paragraph 285 speaks for itself. To the extent a response is required, Poloniex denies the allegations contained in Paragraph 285.

286. The article referenced in Paragraph 286 speaks for itself. To the extent a response is required, Poloniex denies the allegations contained in Paragraph 286.

287. The article referenced in Paragraph 287 speaks for itself. To the extent a response is required, Poloniex denies the allegations contained in Paragraph 287.

288. The article referenced in Paragraph 288 speaks for itself. To the extent a response is required, Poloniex denies the allegations contained in Paragraph 288.

289. Poloniex denies the allegations contained in Paragraph 289.

290. The article referenced in Paragraph 290 speaks for itself. To the extent a response is required, Poloniex denies the allegations contained in Paragraph 290.

291. The article referenced in Paragraph 291 speaks for itself. To the extent a response is required, Poloniex denies the allegations contained in Paragraph 291.

292. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 292, and therefore denies them. Further answering, the statements in the Bloomberg article referenced in Paragraph 292 speak for themselves..

293. Poloniex admits the allegations of Paragraph 293.

294. The article referenced in Paragraph 294 speaks for itself. To the extent a response is required, Poloniex denies the allegations contained in Paragraph 294.

295. The articles referenced in Paragraph 295 speak for themselves. To the extent a response is required, Poloniex denies the allegations contained in Paragraph 295.

296. The article referenced in Paragraph 296 speaks for itself. To the extent a response is required, Poloniex denies the allegations contained in Paragraph 296.

297. The article referenced in Paragraph 297 speaks for itself. To the extent a response is required, Poloniex denies the allegations contained in Paragraph 297.

298. The article referenced in Paragraph 298 speaks for itself. To the extent a response is required, Poloniex denies the allegations contained in Paragraph 298.

299. The article referenced in Paragraph 299 speaks for itself. To the extent a response is required, Poloniex denies the allegations contained in Paragraph 299.

300. Poloniex denies the allegations contained in Paragraph 300. Further answering, “that player” is the third-party trader, executing on an arbitrage strategy, that Poloniex identified above. Despite learning that the third-party trader is “the player” rather than their knowingly incorrect conspiracy, Plaintiffs have neither amended their previously-amended complaint, nor dismissed Poloniex and Bittrex from this action.

301. The article referenced in Paragraph 301 speaks for itself. To the extent a response is required, Poloniex denies the allegations contained in Paragraph 301.

302. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 302, and therefore denies them.

303. The report referenced in Paragraph 303 speaks for itself. To the extent a response is required, Poloniex denies the allegations contained in Paragraph 303.

304. The report referenced in Paragraph 304 speaks for itself. To the extent a response is required, Poloniex denies the allegations contained in Paragraph 304.

305. The report referenced in Paragraph 305 speaks for itself. To the extent a response is required, Poloniex denies the allegations contained in Paragraph 305.

306. Poloniex denies the allegations contained in the last sentence in Paragraph 306. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 306, and therefore denies them.

307. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 307, and therefore denies them.

308. The Tweet referenced in Paragraph 308 speaks for itself. To the extent a response is required, Poloniex denies the allegations contained in Paragraph 308.

309. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 309, and therefore denies them. Further answering, the statements in the article referenced in Paragraph 309 speak for themselves.

310. Poloniex denies the allegations contained in Paragraph 310.

311. Poloniex denies the allegations contained in Paragraph 311.

312. Poloniex denies the allegations contained in Paragraph 312.

313. Poloniex denies the allegations contained in Paragraph 313.

314. Poloniex denies the allegations contained in Paragraph 314.

315. Poloniex denies the allegations contained in Paragraph 315.

316. Poloniex denies the allegations contained in Paragraph 316.

317. Poloniex admits only that it permitted USDT transfers to/from Poloniex. Poloniex denies that it set up and integrated the 1J1d USDT deposit address for Bitfinex. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 317, and therefore denies them.

318. Poloniex admits only that technical coordination is required between an issuer and an exchange to enable trading. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 318 and therefore denies them.

319. Poloniex denies the allegations contained in Paragraph 319 to the extent they pertain to Poloniex. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 319, and therefore denies them.

320. Poloniex denies the allegations contained in Paragraph 320.

321. Poloniex admits only that, at all relevant times while operating the Poloniex Exchange, it had KYC systems in place. At certain points in time, Poloniex required users looking to withdraw more than \$25,000 a day to provide, among other pieces of KYC, a photo ID and selfie holding that photo ID. Poloniex denies the remaining allegations contained in Paragraph 321 to the extent they pertain to Poloniex and is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 321 pertaining to Bittrex and therefore denies them.

322. Poloniex denies the allegations contained in Paragraph 322 to the extent they pertain to Poloniex. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 322, and therefore denies them.

323. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in the first sentence in Paragraph 323, and therefore denies them. Poloniex denies the remaining allegations contained in Paragraph 323.

324. Poloniex denies the allegations contained in Paragraph 324.

325. Poloniex denies the allegations contained in Paragraph 325.

326. Poloniex denies the allegations contained in Paragraph 326.

327. Poloniex denies the allegations contained in the last sentence in Paragraph 327. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 327, and therefore denies them.

328. Poloniex denies the allegations contained in the last sentence in Paragraph 328. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 328, and therefore denies them.

329. Poloniex denies the allegations contained in Paragraph 329.

330. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 330, and therefore denies them.

331. Poloniex denies the allegations contained in Paragraph 331.

332. Poloniex denies the allegations contained in Paragraph 332.

333. Poloniex denies the allegations contained in Paragraph 333.

334. Poloniex denies the allegations contained in the first sentence in Paragraph 334. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 334, and therefore denies them.

335. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 335, and therefore denies them.

336. Poloniex denies the allegations contained in Paragraph 336.

337. Poloniex denies the allegations contained in Paragraph 337.

338. Poloniex denies the allegations contained in the last sentence of Paragraph 338 to the extent they pertain to Poloniex. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 338, and therefore denies them.

339. Poloniex denies the allegations contained in Paragraph 339.

340. Poloniex denies the allegations contained in Paragraph 340.

341. Poloniex denies the allegations contained in Paragraph 341.

342. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 342, and therefore denies them.

343. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 343, and therefore denies them.

344. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 344, and therefore denies them. Further answering, the statements in the YouTube video referenced in Paragraph 344 speak for themselves.

345. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 345, and therefore denies them. Further answering, the statements in the YouTube videos referenced in Paragraph 345 speak for themselves.

346. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 346, and therefore denies them. Further answering, the statements in the YouTube video referenced in Paragraph 346 speak for themselves.

347. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 347, and therefore denies them.

348. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 348, and therefore denies them.

349. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 349, and therefore denies them.

350. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 350, and therefore denies them.

351. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 351, and therefore denies them.

352. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 352, and therefore denies them. Further answering, the statement in the memorandum referenced in Paragraph 352 speaks for itself.

353. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 353, and therefore denies them.

354. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 354, and therefore denies them.

355. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 355, and therefore denies them.

356. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 356, and therefore denies them.

357. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 357, and therefore denies them.

358. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 358, and therefore denies them.

359. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 359, and therefore denies them.

360. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 360, and therefore denies them.

361. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 361, and therefore denies them.

362. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 362, and therefore denies them. Further answering, the declarations referenced in Paragraph 362 speak for themselves.

363. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 363, and therefore denies them.

364. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 364, and therefore denies them.

365. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 365, and therefore denies them.

366. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 366, and therefore denies them.

367. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 367, and therefore denies them. Further answering, the statement in the declaration referenced in Paragraph 367 speaks for itself.

368. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 368, and therefore denies them. Further answering, the statements in the press release referenced in Paragraph 368 speak for themselves.

369. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 369 ,and therefore denies them. Further answering, the statements in the declaration referenced in Paragraph 369 speak for themselves.

370. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 370, and therefore denies them. Further answering, the statements in the court pleading referenced in Paragraph 370 speak for themselves.

371. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 371, and therefore denies them.

372. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 372, and therefore denies them.

373. Poloniex denies the allegations contained in Paragraph 373 to the extent they pertain to Poloniex. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 373, and therefore denies them.

374. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 374, and therefore denies them. Further answering, the statement in the Tweet referenced in Paragraph 374 speaks for itself.

375. Poloniex denies the allegations contained in Paragraph 375 to the extent they pertain to Poloniex. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in Paragraph 375, and therefore denies them.

376. Paragraph 376 sets forth legal conclusions to which no response is required. To the extent a response is required, Poloniex denies the allegations contained in Paragraph 376.

377. Paragraph 377 sets forth legal conclusions to which no response is required. To the extent a response is required, Poloniex denies the allegations contained in Paragraph 377.

378. Paragraph 378 sets forth legal conclusions to which no response is required. To the extent a response is required, Poloniex denies the allegations contained in Paragraph 378.

379. Paragraph 379 sets forth legal conclusions to which no response is required. To the extent a response is required, Poloniex denies the allegations contained in Paragraph 379.

380. Paragraph 380 sets forth legal conclusions to which no response is required. To the extent a response is required, Poloniex denies the allegations contained in Paragraph 380.

381. Paragraph 381 sets forth legal conclusions to which no response is required. To the extent a response is required, Poloniex denies the allegations contained in Paragraph 381.

382. Paragraph 382 sets forth legal conclusions to which no response is required. To the extent a response is required, Poloniex denies the allegations contained in Paragraph 382.

383. Paragraph 383 sets forth legal conclusions to which no response is required. To the extent a response is required, Poloniex denies the allegations contained in Paragraph 383.

384. Paragraph 384 sets forth legal conclusions to which no response is required. To the extent a response is required, Poloniex denies the allegations contained in Paragraph 384.

385. Paragraph 385 sets forth legal conclusions to which no response is required. To the extent a response is required, Poloniex denies the allegations contained in Paragraph 385.

386. Paragraph 386 sets forth legal conclusions to which no response is required. To the extent a response is required, Poloniex denies the allegations contained in Paragraph 386.

387. Paragraph 387 sets forth legal conclusions to which no response is required. To the extent a response is required, Poloniex denies the allegations contained in Paragraph 387.

388. Paragraph 388 sets forth legal conclusions to which no response is required. To the extent a response is required, Poloniex denies the allegations contained in Paragraph 388.

FIRST CAUSE OF ACTION

Monopolization

Sherman Antitrust Act Section 2

(By Class Against DigFinex, the Bitfinex Defendants the Tether Defendants, and the Individual Defendants)

389. The claim asserted in Paragraphs 389-399 is directed at defendants other than Poloniex, and thus no response from Poloniex is required. To the extent a response is required, Poloniex denies the allegations.

SECOND CAUSE OF ACTION

Attempted Monopolization

Sherman Antitrust Act Section 2

(By the Class Against DigFinex, the Bitfinex Defendants, the Tether Defendants, and the Individual Defendants)

400. The claim asserted in Paragraphs 400-409 is directed at defendants other than Poloniex, and thus no response from Poloniex is required. To the extent a response is required, Poloniex denies the allegations.

THIRD CAUSE OF ACTION

**Conspiracy to Monopolize
Sherman Act Antitrust Action Section 2
(By the Class Against All Defendants)**

410. Per the Court's September 28, 2021 order, the claim asserted in Paragraphs 410 – 416 are dismissed from this litigation, and thus no further response from Poloniex is required. To the extent a response is required, Poloniex denies these allegations.

FOURTH CAUSE OF ACTION

**Agreement in Restraint of Trade
Sherman Antitrust Act Sections 1 and 3**

411. Responding to paragraph 417 of the Amended Complaint, Poloniex incorporates its prior responses in this Answer as if fully stated herein.

412. Paragraph 418 sets forth legal conclusions to which no responsive pleading is required. To the extent a response is required, Poloniex denies the allegations in Paragraph 418.

413. Poloniex denies the allegations contained in Paragraph 419.

414. Poloniex denies the allegations contained in Paragraph 420.

415. Poloniex denies the allegations contained in Paragraph 421.

416. Poloniex denies the allegations contained in Paragraph 422.

417. Poloniex denies the allegations contained in Paragraph 423.

418. Poloniex denies the allegations contained in Paragraph 424.

419. Poloniex denies the allegations contained in Paragraph 425.

420. Poloniex denies the allegations contained in Paragraph 426.

421. Poloniex is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 427, and therefore denies them.

422. Poloniex denies the allegations contained in Paragraph 428.

423. Poloniex denies the allegations contained in Paragraph 429.

424. Paragraph 430 sets forth legal conclusions to which no responsive pleading is required. To the extent a response is required, Poloniex denies the allegations in Paragraph 430.

FIFTH CAUSE OF ACTION

**Market Manipulation
Commodities Exchange Act
(By the Cryptocommodity Futures Subclass Against All Defendants)**

425. Responding to paragraph 431 of the Amended Complaint, Poloniex incorporates its prior responses in this Answer as if fully stated herein.

426. The first sentence in Paragraph 432 sets forth legal conclusions to which no responsive pleading is required. To the extent a response is required, Poloniex denies the allegations. The referenced statement from the CFTC speaks for itself. Poloniex denies the remaining allegations contained in Paragraph 432.

427. Poloniex denies the allegations contained in Paragraph 433.

428. Poloniex denies the allegations contained in Paragraph 434.

429. Paragraph 435 sets forth legal conclusions to which no responsive pleading is required. To the extent a response is required, Poloniex denies the allegations.

430. Paragraph 436 sets forth legal conclusions to which no responsive pleading is required. To the extent a response is required, Poloniex denies the allegations.

431. Poloniex denies the allegations contained in Paragraph 437.

432. Poloniex denies the allegations contained in Paragraph 438.

433. Paragraph 439 sets forth legal conclusions to which no responsive pleading is required. To the extent a response is required, Poloniex denies the allegations in Paragraph 439.

SIXTH CAUSE OF ACTION

**Principal Agent Liability
Commodities Exchange Act
(By the Cryptocommodity Futures Subclass Against All Defendants)**

434. Per the Court's September 28, 2021 order, the claim asserted in Paragraphs 440 – 444 is dismissed as to Poloniex, and thus no further response from Poloniex is required. To the extent a response is required, Poloniex denies the allegations.

SEVENTH CAUSE OF ACTION

**Aiding and Abetting
Commodities Exchange Act
(By the Cryptocommodity Futures Subclass Against All Defendants)**

435. Responding to paragraph 445 of the Amended Complaint, Poloniex incorporates its prior responses in this Answer as if fully stated herein.

436. Paragraph 446 sets forth legal conclusions to which no responsive pleading is required. To the extent a response is required, Poloniex denies the allegations in Paragraph 446.

437. Poloniex denies the allegations contained in Paragraph 447.

438. Paragraph 448 sets forth legal conclusions to which no responsive pleading is required. To the extent a response is required, Poloniex denies the allegations in Paragraph 448.

EIGHTH CAUSE OF ACTION

**RICO 18 U.S.C. § 1962(c)
(By the Class Against the Count Eight Defendants)**

439. Per the Court's September 28, 2021 Decision, the claim asserted in Paragraphs 449 – 548 is dismissed from this litigation, and thus no further response from Poloniex is required. To the extent a response is required, Poloniex denies the allegations.

NINETH CAUSE OF ACTION

RICO § 1962(a)

(In the Alternative, by the Class Against the Count Nine Defendants)

440. Per the Court's September 28, 2021 Decision, the claim asserted in Paragraphs 549 – 560 are dismissed from this litigation, and thus no further response from Poloniex is required. To the extent a response is required, Poloniex denies the allegations.

TENTH CAUSE OF ACTION

RICO § 1962

(By the Class Against All Defendants)

441. Per the Court's September 28, 2021 Decision, the claim asserted in Paragraphs 561 – 572 are dismissed from this litigation, and thus no further response from Poloniex is required. To the extent a response is required, Poloniex denies the allegations.

ELEVENTH CAUSE OF ACTION

Fraud

(By the Class Against the Bitfinex Defendants, Tether Defendants, and Individual Defendants)

442. The claim asserted in Paragraphs 573-582 is directed at defendants other than Poloniex and per the Court's September 28, 2021 Decision is dismissed from this litigation, and thus no further response from Poloniex is required. To the extent a response is required, Poloniex denies the allegations.

TWELFTH CAUSE OF ACTION

**New York Deceptive Trade Practices Law
NY GBL § 349**

(By the Class Against the Bitfinex Defendants, Tether Defendants, and Individual Defendants)

443. The claim asserted in Paragraphs 573-582 is directed at defendants other than Poloniex and per the Court's September 28, 2021 Decision is dismissed from this litigation, and thus no further response from Poloniex is required. To the extent a response is required, Poloniex denies the allegations.

COSTS, INTERESTS AND ATTORNEY FEES

444. Paragraph 592 sets forth legal conclusions to which no responsive pleading is required. To the extent a response is required, Poloniex denies the allegations in Paragraph 592.

JURY TRIAL

445. Poloniex denies that plaintiffs are entitled to a trial by jury for their remaining claims.

POLONIEX'S AFFIRMATIVE DEFENSES

FIRST AFFIRMATIVE DEFENSE

Plaintiffs fail to state a claim upon which relief can be granted.

SECOND AFFIRMATIVE DEFENSE

Plaintiffs' claims against Poloniex are barred, in whole or in part, because Plaintiffs failed to plead their allegations against Poloniex with particularity.

THIRD AFFIRMATIVE DEFENSE

The action is not maintainable as a class action pursuant to Rule 23 of the Federal Rules of Civil Procedure.

FOURTH AFFIRMATIVE DEFENSE

Poloniex did not engage in any conduct, scheme, or conspiracy in restraint of trade.

FIFTH AFFIRMATIVE DEFENSE

Plaintiffs' claims are barred, in whole or in part, because the Plaintiffs have not suffered any injury-in-fact or antitrust injury traceable to allegedly unlawful conduct of Poloniex.

SIXTH AFFIRMATIVE DEFENSE

Plaintiffs' claims are barred, in whole or in part, because no conduct attributable to Poloniex was the but-for cause or the proximate cause of any losses or damages that Plaintiffs seek to recover in this action.

SEVENTH AFFIRMATIVE DEFENSE

Plaintiffs would be unjustly enriched if they were permitted to obtain recovery against Poloniex in this action.

EIGHTH AFFIRMATIVE DEFENSE

Poloniex did not manipulate USDT, or any other stablecoin or cryptocommodity, nor did it participate in a scheme or conspiracy to do so.

NINTH AFFIRMATIVE DEFENSE

Poloniex is entitled to receive indemnification or contribution from others if it were to incur liability as a result of this action.

TENTH AFFIRMATIVE DEFENSE

The claims asserted in Plaintiffs' Amended Complaint may be barred, in whole or in part, by the acts, wrongs, representations, omissions, and/or negligence of other individuals or entities with respect to which Poloniex is not liable.

ELEVENTH AFFIRMATIVE DEFENSE

Plaintiffs' claims are barred because the relief sought is broader than what is necessary to remedy the alleged harm.

TWELFTH AFFIRMATIVE DEFENSE

Plaintiffs have incurred no damages, or their alleged damages are too remote or speculative to ascertain or apportion.

THIRTEENTH AFFIRMATIVE DEFENSE

Plaintiffs are not entitled to a recovery of attorney's fees, and therefore those requests should be stricken from the Amended Complaint.

FOURTEENTH AFFIRMATIVE DEFENSE

Plaintiffs' claims against Poloniex are barred, in whole or in part, because Plaintiffs failed to plead their allegations with particularity.

FIFTEENTH AFFIRMATIVE DEFENSE

Any and all of Poloniex's actions challenged by Plaintiffs were lawful, reasonable, justified, constitute bona fide business practices, and were carried out in furtherance of Poloniex's legitimate business interests, and therefore did not violate any law at issue and have not caused any injury or competition, the public, or Plaintiffs.

SIXTEENTH AFFIRMATIVE DEFENSE

Plaintiffs are judicially and/or equitability estopped from raising their claims.

SEVENTEENTH AFFIRMATIVE DEFENSE

Poloniex did not engage in any illegal or unlawful activity or conduct.

EIGHTEENTH AFFIRMATIVE DEFENSE

Poloniex is not liable for the conduct of any of its current or former employees or agents to the extent that any or all of those current or former employees acted outside the scope of their authority.

NINETEENTH AFFIRMATIVE DEFENSE

Plaintiffs' claims against Poloniex are barred, in whole or in part, by the doctrines of merger, bar, collateral estoppel, waiver, res judicata, discharge, and/or accord and satisfaction.

TWENTIETH AFFIRMATIVE DEFENSE

Poloniex was not unjustly enriched.

TWENTY-FIRST AFFIRMATIVE DEFENSE

Poloniex hereby reserves and asserts all affirmative and other defenses available under any applicable federal or state law, including those specifics to causes of action dismissed by the Court. Poloniex presently has insufficient knowledge or information upon which to form a belief as to whether it may have other, as yet unstated, affirmative defenses available. Therefore,

Poloniex reserves its rights to assert additional defenses, counterclaims, cross-claims, and third-party claims in the event that discovery indicates that such additional defenses or claims would be appropriate.

PRAYER FOR RELIEF

WHEREFORE, having fully answered Plaintiffs' Amended Complaint, Poloniex prays that this Court deny any relief or request for judgment on behalf of Plaintiff or the putative class members, and dismiss this action against Poloniex in its entirety, with prejudice and without further leave to amend. Poloniex also prays for such other relief as may be appropriate or that the Court deems just and proper.

Respectfully submitted,

/s/ Matthew G. Lindenbaum
Matthew G. Lindenbaum
NELSON MULLINS RILEY &
SCARBOROUGH LLP
One Financial Center, Suite 3500
Boston, Massachusetts 02111
Telephone: (617) 217-4700
matthew.lindenbaum@nelsonmullins.com

Robert L. Lindholm
NELSON MULLINS RILEY &
SCARBOROUGH LLP
280 Park Avenue
15th Floor, West
New York, New York 10017
Telephone: (646) 428-2600
robert.lindholm@nelsonmullins.com

Attorneys for Poloniex, LLC

Dated: October 28, 2021

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the forgoing document with the Clerk of the Court by using the Court's CM/ECF system on October 28, 2021.

I certify that parties in the case that are registered CM/ECF users will receive service through the Court's CM/ECF system. Any party not registered with CM/ECF will receive a hard copy by first-class U.S. mail mailed October 29, 2021.

/s/ Matthew G. Lindenbaum
Matthew G. Lindenbaum